

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JEIMY GEBIN; VICENTE CRISOLOGO;
CHRISTINA ROBERTSON; LAY KHENG
TAN; ERLINDA VALENCIA; RUPERTA
GONZALAS BOJA; ALBA REYES;
ELEANOR MIRANDA; PABLO
DOMINGUEZ,

Plaintiffs-Appellees,

v.

NORMAN Y. MINETA, in his official
capacity as Secretary, United
States Dept. of Transportation;
JAMES M. LOY, in his official
capacity as Under Secretary of
Transportation for Security,

Defendants-Appellants.

No. 02-57033

D.C. No.

CV-02-00493-RMT

ORDER

Appeal from the United States District Court
for the Central District of California
Robert M. Takasugi, District Judge, Presiding

Argued and Submitted
May 7, 2003—Pasadena, California

Filed May 20, 2003

Before: James R. Browning, Betty B. Fletcher and
Barry G. Silverman, Circuit Judges.

COUNSEL

Mark D. Rosenbaum, American Civil Liberties Union of
Southern California, Los Angeles, California (argued), Benja-

min E. Wizner, ACLU Foundation of Southern California, Los Angeles, California, Steven R. Shapiro, American Civil Liberties Union Foundation, New York City, New York, Antonia Hernandez, Hector O. Villagra, Belinda Anne Escobosa, Mexican American Legal Defense & Education Fund, Los Angeles, California, Alan L. Schlosser, Jayashri Srikanthiah, ACLU Foundation of Northern California, San Francisco, California, Robert Rubin, Philip Hwang, Lawyers' Committee for Civil Rights of the San Francisco Bay, San Francisco, California, Erwin Chemerinsky, USC Law School, Los Angeles, California, Judith A. Scott, Orrin Baird, Service Employees International Union, Washington, D.C., Lucas Guttentag, American Civil Liberties Union Foundation, Oakland, California, Jordan C. Budd, ACLU Foundation of San Diego, San Diego, California, Rodel E. Rodis, National Federation of Filipino American Associations, San Francisco, California, Julie A. Su, Vincent A. Eng, National Asian Pacific American Legal Consortium, Washington, D.C., for the plaintiffs-appellees.

Mark Stern (argued), Thomas M. Bondy, Catherine Y. Hancock, Appellate Staff Civil Division, United States Dept. of Justice, Washington, D.C., Robert D. McCallum, Jr., Assistant Attorney General, Washington, D.C., Debra W. Yang, United States Attorney, Los Angeles, California, Susan K. Rudy, Elizabeth J. Shapiro, United States Dept. of Justice, Washington, D.C., Kirk K. Van Tine, General Counsel, Paul M. Geier, Assistant General Counsel for Litigation, Peter J. Plocki, Senior Trial Attorney, Francine Kerner, Chief Counsel, Transportation Security Administration, Lois B. Osler, Acting Deputy Chief Counsel for Litigation, Transportation Security Administration, United States Dept. of Transportation, Washington, D.C., for the defendants-appellants.

ORDER

After the district court issued the preliminary injunction, Congress amended Section 111 of the Aviation and Security

Transportation Act to expand eligibility for federal airport screening positions to U.S. nationals. Pub. L. No. 107-296, Sec. 1603. We VACATE the preliminary injunction and REMAND this case to the district court to reconsider the Plaintiff's request for a preliminary injunction in light of this amendment to Section 111 of the Act.

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